

The military construction bill was completed in 1 hour, with procedural cooperation from both sides. The Department of Defense bill was completed in a similar length of time; and in the process, the minority also cooperated in bypassing the need to have a rule.

Three of the six bills that have been brought up so far have been brought up by unanimous consent, thereby saving everyone time in terms of the need to go to the Committee on Rules. Those unanimous consent agreements limited amendments and limited time for consideration of those amendments. So I think it is fair to say that we have helped the majority greatly run the trains on time, even if we have on occasion disagreed with the contents in the boxcars.

I simply wanted to take the time to point those facts out because of some of the comments that I have heard the last 3 days from some Members of the majority about the "lack of cooperation" from the minority. I think there has been extraordinary cooperation, even though we have differed with the number of bills; and even though, for instance, on the labor-health bill last week we voted unanimously in opposition to it, we still cooperated in accommodating the majority in terms of schedule.

So I simply want to take note of that. I am glad we have finally gotten to this UC. I do not have any objection to it; but Mr. Speaker, I wanted to make clear and put in the record what the facts have been with respect to cooperation between the two parties on these procedural matters.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to thank the ranking member for his cooperation and also the ranking member of the subcommittee for the cooperation he has shown in drafting this bill and on the floor of debate.

Mr. OBEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2691.

□ 1239

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2691) making appropriations for the De-

partment of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 14 by the gentleman from Oregon (Mr. BLUMENAUER) had been postponed.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate and the amendments printed in the CONGRESSIONAL RECORD and numbered 6, 15 and 16, each of which will be debatable for 10 minutes.

The amendments printed in the CONGRESSIONAL RECORD numbered 4 and 12, each of which shall be debatable for 20 minutes;

The amendment printed in the CONGRESSIONAL RECORD and numbered 1, which shall be debatable for 30 minutes to be allocated as follows: 10 minutes to the proponent, 15 minutes to the chairman of the Committee on Appropriations, and 5 minutes to the ranking minority member;

A substitute amendment by the gentleman from Utah (Mr. MATHESON) to the amendment numbered 1, which shall be debatable for 20 minutes;

An amendment by the gentleman from North Carolina (Mr. TAYLOR) to the amendment numbered 1, which shall be debatable for 10 minutes;

The amendments printed in the CONGRESSIONAL RECORD numbered 2 and 9, each of which will be debatable for 50 minutes to be allocated as follows: 15 minutes to the proponent, 25 minutes to the chairman of the Committee on Appropriations, and 10 minutes to the ranking minority member;

An amendment by the gentleman from California (Mr. GALLEGLY) regarding bear feeding, which shall be debatable for 10 minutes;

An amendment by the gentleman from Washington (Mr. INSLEE) regarding Forest Service regulations on roadless areas, which shall be debatable for 50 minutes; and

An amendment by the gentleman from Arizona (Mr. SHADEGG) regarding Forest Service land acquisition, which shall be debatable for 10 minutes.

Each amendment may be offered only by the Member designated in the request, or a designee, or the Member who caused it to be printed, or a designee, shall be considered as read, shall not be subject to amendment, except as specified, and shall not be subject to a demand for a division of the question.

Each amendment shall be debatable for the time specified, and time on each amendment shall be equally divided and controlled by the proponent and an opponent, except as specified.

All points of order against each amendment shall be considered as re-

served pending completion of debate, and each amendment may be withdrawn by its proponent after debate.

AMENDMENT OFFERED BY MR. SHADEGG

Mr. SHADEGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHADEGG:

Add at the end (before the short title) the following new section:

SEC. _____. The amounts otherwise provided by this Act are revised by reducing the amount made available in title II for "DEPARTMENT OF AGRICULTURE-LAND ACQUISITION", and increasing the amount made available for "DEPARTMENT OF AGRICULTURE-WILDLAND FIRE MANAGEMENT", which increase shall be available for hazardous fuels reduction activities, by \$19,000,000.

The CHAIRMAN. Pursuant to the order of the House of earlier today, the gentleman from Arizona (Mr. SHADEGG) is recognized for 5 minutes in support of his amendment, and an opponent will be recognized for 5 minutes as well.

The Chair recognizes the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to begin by commending the gentleman from North Carolina (Mr. TAYLOR), the chairman of the Interior Committee on Appropriations, for his superb work in increasing funding for Forest Service wildland fire management by \$82 million more than the budget request and for his advocacy for the use of those funds for hazardous fuels reduction. I also want to commend him for reducing at this point in time funding for Forest Service land acquisition. He has done an excellent job, and I commend him for the product he has produced.

I want to carry that one step further, and I want to carry it one step further because we face a crisis in this Nation. America's forests are burning to the ground, and they are burning to the ground because they are occupied by excessive vegetation. They are, according to every knowledgeable expert in the country, grossly overgrown, too dense; and that is leading to a condition not only of wildfires but of disease that is destroying those forests.

In my State of Arizona, we are losing 800,000 acres of land to disease because of this overgrown condition.

My amendment is simple and straightforward. It takes \$19 million from the Department of Agriculture Lands Acquisition Fund, and it transfers that \$19 million to the Department of Agriculture Wildland Fire Management Fund, and it makes that money available for hazardous fuels reduction activities, that \$19 million dollar.

Mr. Chairman, we are in dire straits. A report by the GAO in 1999 predicted that we have 39 million acres at high risk. Last year alone, 6.9 million acres of those forests burned to the ground at a firefighting cost of \$1.6 billion. The experts tell us that the 10-year average

of forests burned to the ground is 4.2 million acres per year.

Dr. Wally Covington of Northern Arizona University has predicted that if we do not do something to treat these forests, an additional 5 to 10 million acres will burn every single year. This condition cannot continue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized for 5 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

I reluctantly rise to oppose the gentleman's amendment. I know he has been a leader in trying to provide funds in this project, and I would say that he has been successful in many ways.

The decision was made to make sure sufficient funds were made available for forest health and backlog maintenance. At the same time, limited land acquisition funds are available for the most critical inholdings and to manage the projects that are currently underway.

□ 1245

We provided \$20 million above the President's request, and we hope to continue to work in this basic area of forest health and backlog maintenance.

So I must oppose the gentleman's amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, let me say, first of all, that I have great respect for the gentleman who offered this amendment. I know he is dedicated on the issue of firefighting.

As the chairman mentioned, however, we have added a significant amount of money and there will be a supplemental on the floor next week of \$289 million for fire as well. And I just think that we have taken this land acquisition part of the Forest Service budget down from \$132 million to about \$29 million, and this would be another \$19 million. You could not even run a program out of this. And if they need the money, they probably could borrow it anyway.

So I would argue that this is not an appropriate offset. I would urge the gentleman to consider adding this to the supplemental. If he wants to add additional money to the supplemental to reimburse the government for the money it borrowed from a lot of these accounts, the supplemental is coming up next week. This should be emergency. If the gentleman was offering it as an emergency measure, not taking an offset out of land acquisition, I could support it; but I cannot support the amendment as it is currently drafted.

Mr. Chairman, I hope these suggestions are beneficial.

Mr. SHADEGG. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the supportive remarks of my colleagues on the opposite side of this issue. I simply believe this is critical. The issue I raised a year ago was additional funds for firefighting. The issue I am raising, however, this year has to do with hazardous fuels reduction. I believe that this committee has done a superb job in fighting to get the funds to fight fires, but we must reduce the fuel load in our forests.

In Arizona alone, the Rodeo Chediski fire last year consumed 469,000 acres. This year's Aspen fire has already consumed 80,000 acres. In my State alone, this year, we have lost 140,000 acres. And in the Nation we have lost 1 million acres. I am not fighting for funds to fight fires. I agree with the gentleman and will support efforts for funding to fight fires. I am talking about fuels reduction.

We have millions of acres, tens of millions of acres of overgrown forests in this country due to mistaken policies of the past. We need to thin those forests, to treat those forests. The Governor of Arizona has asked for emergency funding to treat the forests in Arizona. She says the urgent need is \$116 million. The need to treat all of the forests in just my State of Arizona is \$700 million. There are 32 large fires burning in the West as we speak. Seven of those fires are burning in the State of Arizona, and over 20,000 acres in my State are burning as we debate this issue right now.

The issue is not fighting fires. I already referred to the \$1.6 billion we spent last year to fight fires. We do not have enough money to fight all these fires. We must treat these forests so that we do not have the fires to fight. And the only way we can treat these forests is to move dollars into the fund that allows the treatment of forests, and that is the fund I have sought to move them into. We must have hazardous fuels reduction. This is a mere \$19 million, but it will help in the effort.

And with those who are concerned about land acquisition, I want to make it very clear that we have left a substantial amount of money, millions of dollars, in the land acquisition fund, because I understand there are important land acquisitions and inholdings, as the chairman talked about. I intentionally did not gut that fund or leave it empty. We did, however, say that we must recognize the catastrophe that our Nation faces. If we do not reduce the fuel load in these forests, if we do not make it so these fires do not burn so intensely, and if we do not treat them, and there is a debate over whether we should treat just the wildland urban interface or the inner part of the forest itself, that debate is beyond the issue of my amendment, my amendment says we have a crying need across America.

I would suggest that the statistics tell us that with 39 million acres at high-risk, and burning 6.9 million acres per year, as we did last year, in 5 years

there will be no forests left to debate. Those 39 million acres will be gone. It seems to me that this is a modest effort to look at the critical need of treating hazardous fuels reduction in our forests. I urge my colleagues to support this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for debate has expired. The question is on the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. SHADEGG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) will be postponed.

AMENDMENT OFFERED BY MR. GALLEGLY

Mr. GALLEGLY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GALLEGLY:

At the end of the bill (before the short title), insert the following new section:

SEC. 3 ____ None of the funds made available by this Act may be used by the Forest Service or the Bureau of Land Management to administer any action related to the baiting of bears except to prevent or prohibit such activity.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GALLEGLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. GALLEGLY).

Mr. GALLEGLY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise today to offer an amendment to the interior appropriations bill. My amendment prohibits the Bureau of Land Management and the Forest Service from using funding for the purposes of allowing bear baiting on Federal lands.

I think it is important to mention that my amendment does not increase funding in this appropriations bill. Baiting is an unpopular and increasingly discredited method of bear hunting. States that have banned bear baiting have not experienced any wildlife management problems stemming from the prohibitions. Actually, bear hunting participation has increased after States adopted baiting bans.

Baiting is a practice unpopular with Americans, including hunters, largely because it runs against the norm of fairness and sportsmanship and against the widely recognized wildlife management principle that it is dangerous to make human foods available to bears. Most people believe it is unfair, unsportsmanlike to lure a bear with food and then shoot the animal while he or she is gorging on food.

The four major land management agencies have endorsed the "Leave No Trace" public awareness campaign which warns that people should never feed wild animals. The campaign materials say feeding wildlife damages their health, alters natural behaviors, and exposes them to predators and other dangers. In this same publication, Federal agencies address waste disposal in the woods, saying: "Pack out all trash and garbage, including leftover food." Specifically, the National Park Service and Fish and Wildlife Service ban baiting, and my amendment would ensure the same no-feeding standards apply to other Federal lands by precluding the use of funds to encourage the practice of baiting.

Allowing bear baiting is inconsistent with these declarations. It just makes no sense to think that providing food to bears is wrong except if feeding is associated with hunting. If it is wrong to set out food to lure bears for picture-taking or just to watch the bears, surely it is also wrong to lure bears with jelly donuts and rotting animal carcasses for the purpose of shooting them.

I ask my colleagues to support this amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. MORAN), and I ask unanimous consent that he be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORAN of Virginia. Mr. Chairman, I reserve the balance of my time.

Mr. POMEROY. Mr. Chairman, I claim the time in opposition, and I yield 1 minute to the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee.

Mr. TAYLOR of North Carolina. Mr. Chairman, I oppose the amendment. The question is a question of States' rights and management of wildlife populations. The States have broad responsibility and authority over resident fish and wildlife, including fish and wildlife found on Federal lands within a State. Congress has reaffirmed this authority through numerous acts.

States must be allowed to effectively manage resident wildlife populations. This is an authorizing issue and a States' rights issue and this provision does not belong in an interior appropriations bill. So I must urge defeat of this amendment.

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL), the ranking member on the Committee on Resources.

Mr. RAHALL. Mr. Chairman, I thank the distinguished chairman of the Committee on Resources for yielding me this time.

The gentleman from New Jersey (Mr. HOLT) and I plan to offer an amendment soon dealing with an issue involving Yellowstone National Park. This

morning, two Members who are in the majority are quoted as complaining in a newspaper report that we are being unfair because this matter should be debated in the Committee on Resources rather than as a rider to an appropriations bill.

I would note that we in the minority are forced to use this tactic. We are in the minority. The majority will not give our issue the time of day in the Committee on Resources. The Members making this allegation should know better. They are in the majority. They know that the Committee on Resources will not hear or consider our issues.

The situation is different with this particular amendment from the gentleman from California. He had every opportunity for the Committee on Resources to consider this matter. In fact, the bill was scheduled for committee consideration this past Tuesday. The chairman of the committee, the gentleman from California (Mr. POMBO), scheduled his bill; yet he came to the committee and had it withdrawn.

So I am going to vote against this amendment, and I am voting against it on the process that is being used. Perhaps then those two Members who took issue with my amendment and the amendment of the gentleman from New Jersey and the tactics that were used will recognize there is a difference. So we are being forced to offer amendments to an appropriations bill because we are not in the majority.

Mr. MORAN of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. GALLEGLY) to respond to the last speaker's comments for the record here.

Mr. GALLEGLY. Mr. Chairman, in response to the comments of the gentleman from West Virginia (Mr. RAHALL) about the bill being withdrawn on Tuesday, basically we had 1-day notice, and there were several Members that wanted to be there and could not.

In fact, the chairman had, at the beginning of the markup, acknowledged that he was withdrawing several bills that day because Members were not present to vote for the bills. That one was not on his list of bills to be withdrawn that day.

And so I ask that that be added to for the record.

Mr. MORAN of Virginia. Mr. Chairman, I reserve the balance of my time.

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SAXTON).

Mr. SAXTON. Mr. Chairman, let me just say that I rise in strong opposition to this amendment. It has traditionally been the right of the States to determine what hunting methods can and should be used for wildlife management purposes.

New Jersey is in a unique position, being the most densely populated State in the country and having a very fast-growing bear population at the same time. Our State is in dire need of this management tool. As a matter of fact,

the Wall Street Journal reported this week, and I quote: "The New Jersey Fish and Game Council voted to allow the State's first black bear hunt in 33 years. Officials will hand out 10,000 bear permits in hopes of making a dent in the bear population that has been ransacking garbage cans, breaking into houses, killing livestock and mauling residents."

This is a very, very serious issue, Mr. Chairman. And for the rights of the residents of New Jersey and the nine States that currently allow bear baiting, this amendment goes too far in the wrong direction.

Mr. POMEROY. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I rise in strong opposition to this amendment. First of all, I do not believe the amendment has any practical effect. There are no funds currently expended by the Forest Service or Bureau of Land Management in regards to the bear baiting that is going on, but there is a larger issue at stake.

This amendment would overturn over 200 years of Federal precedents of deferring to State agencies, State wildlife experts, and the people of the States in the management of their own wildlife herds. Nine States choose to allow bear baiting because it is the most effective and humane manner of managing bear populations where it is very difficult to go in and hunt them anyway.

We have had cases in northern Wisconsin where bears are walking into towns, walking into public school yards because their population is exploding. If you take this management tool away from States like Wisconsin, like Michigan, like Minnesota, we fear there is going to be an explosion of the bear population and an unnecessary risk to children's lives and other people's lives.

□ 1300

Mr. Chairman, I think we should stay true to historical precedent. The Federal agencies have deferred to the States on this issue. That is how it has been for 200-plus years. That is how it should remain. I encourage my colleagues to oppose this amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, the gentleman who preceded me talked about the threats to the population if we do not have this practice. It has not happened in my State. We banned this practice.

Real sportsmen do not bait bears. In Oregon, what has happened is actually three times as many people have bought hunting licenses to hunt bears. So, actually, the bear harvest, if Members want to call it that, is up in Oregon because real hunters are out there, not the guys sitting around waiting for the bears to come and feast on what they are being baited with.

Mr. MORAN of Virginia. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has 2 minutes; the gentleman from California (Mr. POMBO) has 1 minute.

Mr. POMBO. Mr. Chairman, I have one additional speaker, and I reserve the right to close.

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) has the right to close.

Mr. MORAN of Virginia. Mr. Chairman, if that is the case, I reserve my right to close.

PARLIAMENTARY INQUIRIES

Mr. POMBO. Parliamentary inquiry, Mr. Chairman. Does not the Member defending the committee position have the right to close?

The CHAIRMAN. The proponent of the amendment, the gentleman from California (Mr. GALLEGLY), yielded his time to the gentleman from Virginia (Mr. MORAN); and as the proponent of the amendment he has the right to close.

Mr. MORAN of Virginia. Mr. Chairman, I reserve the right to close.

Mr. POMBO. Mr. Chairman, does the committee position have the right to close?

The CHAIRMAN. Under clause 3(c) of rule XVII, the gentleman from California (Mr. POMBO), not being a Member of the Committee on Appropriations, does not qualify as a member of the committee defending the committee position, so it is the proponent's right to close.

The proponent of the amendment has transferred the balance of his time to the gentleman from Virginia (Mr. MORAN).

Mr. POMBO. Parliamentary inquiry, Mr. Chairman. If I yield the balance of my time to the chairman of the Subcommittee on Interior and Related Agencies, do we have the right to close?

The CHAIRMAN. That would not represent the requisite unbroken line of committee affiliation in opposition.

Mr. POMBO. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON of Minnesota. Mr. Chairman, I rise to oppose this amendment, and I think it is maybe the right timing because the gentleman before me said real hunters do not bait bears.

I would like to say, in Minnesota, I was a sponsor of the bill that created a season and made the bear a big game animal. We are having trouble controlling the population in spite of the fact that we issued two permits last year to every hunter, and this year we did not sell all of the licenses. We have three times as many bears now as we did back when they were not protected.

In Minnesota, last year, we shot 2,915 bears; 2,900 were shot over bait. The only way a bear can be shot in the northern climates like Minnesota is over bait. There is no other way hunt-

ers are going to do that. If we pass this legislation, the bears are all in the Chippewa and Superior National Forests, we will eliminate the ability for us to control our population. Our DNR is very much opposed to this. It will take away the chance for us to manage this population, and it will cause all kinds of trouble with folks that live up in that area. The bears are starting to move out in the private areas. I very much oppose this amendment and hope it is defeated.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thank the gentleman from California (Mr. GALLEGLY) for his leadership on this issue.

This is a poster paid for by the U.S. Department of Agriculture Forest Service. This one happens to be distributed jointly with Arizona and New Mexico's Departments of Game and Fish. It says, "Just Be Bear Aware," and the reason it says "Don't feed bears" is because most conflicts between humans and bears arise as a result of human-supplied food. It says, "Remember, a fed bear is a dead bear."

This is all about safety to the public. The reason why we do not want bears to be fed is that they become nuisances, they become a threat to property and particularly to people. That is Federal policy. All we are trying to do in this bill is to make sure that Federal policy is consistent, it is consistently in the public interest. There is no difference between bear baiting and bear feeding. That is what this amendment says.

The fact is that bait sites typically consist of pastries, junk food, the kinds of foods you typically find at camp sites and dumpsters. Once acclimated to those human foods, bears become aggressive in approaching campers, park visitors, and they migrate to those areas where those kinds of treats can be found. That is what leads to property damage, attacks on people, and the bears being shot as nuisance animals.

The gentleman from Minnesota (Mr. PETERSON) said they cannot continue hunting without bear baiting, but I cannot believe that the bears in Minnesota are that different from the bears in Oregon and Washington and the 41 other States which banned this practice.

Mr. HAYES. Mr. Chairman, I rise in strong opposition to this amendment. As a cochair of the Congressional Sportsmen's Caucus, I am here to strongly urge members to vote against this measure that seeks to ban bear baiting.

As it has been discussed during the Resources Committee hearing and during the committee markup on Tuesday, a ban on bear baiting would set an extremely dangerous precedent of the Federal Government preempting the authority of the States to manage wildlife.

The State fish and wildlife agencies have the authority and responsibility of managing wildlife and have an excellent record in years past, especially in regards to bear manage-

ment. This authority includes most Federal public lands with the exception of National Parks, and has been repeatedly affirmed by Congress in acts such as the National Forest Management Act, Federal Land Policy and Management Act, National Wildlife Refugee System Improvement Act and Sikes Act, to name a few.

Baiting has always and continues to be a method of controlling wildlife population levels beyond just bears. Currently, nine States—Alaska, Idaho, Maine, Michigan, Minnesota, New Hampshire, Utah, Wisconsin, and Wyoming—allow regulated baiting as a method of hunting bears and would be severely impacted by this legislation. If these State wildlife agencies feel that here baiting is not necessary to help regulate the population, they are much better equipped to make that decision than the Federal Government.

As a fellow sportsman and a strong believer in State's rights, I strongly encourage members to support the State wildlife agencies and their successful and positive roles they play in wildlife management. At no time in history has Congress selected an individual species for Federal management and there is absolutely no reason that it should start now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GALLEGLY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GALLEGLY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. GALLEGLY) will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. RAHALL:

At the end of the bill (before the short title), insert the following new section:

SEC. ____ None of the funds made available by this Act may be used to kill, or assist others in killing, any Bison in the Yellowstone National Park herd.

The CHAIRMAN. Pursuant to the order of the House earlier today, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will be recognized for 10 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have an amendment today to halt the slaughter of bison in Yellowstone National Park. The bison is a symbol of America. Like the monuments on our National Mall or the dome on this Capitol building, the bison is an American icon. These magnificent beasts are woven into the fabric of our culture, not to mention being sewn onto the fabric of every uniform worn by an employee of the Department of Interior.

After a century of wanton slaughter, we have a small herd in Yellowstone

National Park, the last remaining example of the purebred, free-roaming bison left in this country. Is it any wonder then that the American public looks on in horror at footage of employees of the United States Department of Interior participating in the slaughter of Yellowstone bison? The general public is under the impression that these animals are being sheltered and protected by the Federal Government, not rounded up and shot. But the numbers tell the awful story: This year alone, the Department of Interior participated in the slaughter of 244 Yellowstone bison. On average over the last decade, 250 of these wild animals have been shipped off to slaughter or shot on site every year. The obvious question is why? Why is the Department of Interior murdering its beloved mascot?

Should this picture be the new seal of the leading conservation agency in this country? Instead of a bison standing tall and proud on the seal of the Department of Interior, it is indeed dead, on its back, legs standing stiffly in the air.

The reason these bison are being slaughtered lies in the Department's decision to pander to a single State's deadly approach to wildlife management. During the harsh winter months, bison migrate out of Yellowstone National Park to lower elevations in a desperate attempt to avoid starving to death.

Once they leave the park, they can come into cattle grazing on public and private land; and some of the bison may carry a disease which can be dangerous to cows. But here is the critical point: The transfer of this disease from bison to cattle has never happened in the wild. Never happened. Yet one State and only one which borders Yellowstone insists that the only means to deal with a theoretical possibility that it might happen is to pursue an automatic death sentence for any bison that steps one hoof onto the invisible park boundary. Talk about using a sledgehammer to kill a flea. Under current policy, simply being a bison in Montana is a capital crime, punishable by death.

Perhaps most shocking of all is that most of the bison are not even tested, not even tested to see if they actually carry the disease before they are being sent to their deaths. The truth is, this State is caught in a time warp. Despite the fact that we have entered a new millennium, this particular State is still pursuing wildlife management policies that were popular in the 1800s. Moreover, this State has demanded and the Department of Interior has agreed to help this State implement its approach to wildlife management by helping them shoot bison. That must stop.

The National Park Service is one of the foremost conservation agencies in the world. It should not be required to kill the very wildlife they are sworn to protect. If adopted, this amendment

will prohibit the use of any funds in this bill to kill or assist others in killing these magnificent animals. This is a very narrow amendment. If Montana wants to continue to slaughter bison as if they were still living in the old West, this amendment will not stop them. However, the Federal agencies funded in this bill, agencies with a conservation mandate, will not help them do their dirty work.

The Federal conservation agencies funded in this bill will continue working within the existing bison management plan to address the theoretical threat of disease through hazing and capture of bison, through development of a vaccine for both cattle and bison, and through the use of other tools. But the tools they use will no longer be lethal.

This is a very simple amendment. Members either support slaughtering Yellowstone bison or they do not. We know the American people do not support the slaughter of this icon of America, just as they would not support the slaughter of the bald eagle. There is no good reason for this killing, and I urge my colleagues to adopt this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from North Carolina (Mr. TAYLOR) is recognized for 10 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, none of us are comfortable with this issue, but let me provide Members with some facts.

A record of decision was signed on December, 2000, by then Secretary of Interior Bruce Babbitt, the Secretary of Agriculture Dan Glickman, and the Governor of Montana. This document was a long-term plan for bison management in this region.

The main objectives were to maintain a free-ranging bison population and manage the risk of transmission of diseases from bison to cattle. Both the State and the Park Service have specific responsibilities under this agreement.

When we have bison outside the park, bison are captured, tested and some are shipped to slaughter. On occasion, bison resist the capture or hazing and are shot. During the winter of 2002, there was a dangerous situation of this kind involving one bison bull. At the request of Montana, an interagency team, including the Park Service, shot the bull.

□ 1315

Mr. Chairman, I yield 3 minutes to the gentlewoman from Wyoming (Mrs. CUBIN).

Mrs. CUBIN. Mr. Chairman, I do not understand why some Congressmen continue to offer amendments about issues that they truly do not under-

stand, that they have never observed, nor have they ever participated in the solution to a problem that exists. The States of Wyoming, Idaho, Montana and the United States Departments of Agriculture and Interior have worked very hard over the past decade to protect and sustain the existing free-ranging elk and bison populations while still protecting the economic interests of the livestock industries in these States.

My colleague from West Virginia made the statement that it has never been proven that brucellosis has spread from bison to cattle. That is simply not true. My colleague from Montana will go further into that explanation. Controlling brucellosis is a delicate balancing act for all parties involved. We need to address the needs of each of the environment, Federal and private stakeholders. Bison numbers are nearly at capacity for the range in the parks and surrounding areas, and those herds must be managed. We must actively manage the herd consistently with the greater ecosystem management plan which has been established by stakeholders and the Departments and we have to employ sometimes the unfortunate use of reduction methods. To not do so would upset the balance of the Greater Yellowstone ecosystem. That is something that certainly my colleague from West Virginia would not want to happen.

The gentleman from West Virginia's amendment would make the decade-long efforts of public and private stakeholders in vain by limiting the use of Federal funds to aid the Park Service in managing the reduction of bison. I would much prefer the sponsor of this amendment begin attending the Greater Yellowstone Interagency Brucellosis Committee meetings as my staff does and learn the complexity of these issues and the limitations of reasonable solutions rather than enacting knee-jerk legislation that those of us in the surrounding communities have to then live with. By taking one of the Park Service's tools out of their tool box in bison and brucellosis management, this amendment reduces our ability to effectively control the bison herd at a time when its numbers are reaching maximum capacity.

This amendment will not reduce the reduction of bison leaving Yellowstone and Grand Teton parks. Merely the surrounding States will then have to take a more active role in reduction of their activities. This is nothing more than feel-good legislation that ignores all of the facts, all of the stakeholders' concerns and the real world.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, we must stop the Park Service from killing Yellowstone National Park's buffalo. More than any other animal, the American buffalo is a wildlife icon of the United States. The buffalo is the symbol that represents the Department

of the Interior. The buffalo is profoundly significant to Native American cultures and perhaps more than any other wildlife species has influenced our history.

In the late 19th century, buffalo were nearly exterminated. After tens of millions of buffalo were killed, only 200 wild buffalo remained in the Nation and all were located in Yellowstone National Park. Due to poaching, their numbers were reduced to 25 by the turn of the last century. The offspring of the 25 survivors, today's Yellowstone National Park buffalo, comprise the only wild, free-roaming buffalo to continually occupy their native habitat in the United States. Yet the Yellowstone buffalo herd is still under assault. Since 1984, nearly 3,700 buffalo have been killed in Montana. This past winter, 244 buffalo were killed by the Federal and State agencies, including 231 captured and slaughtered by the National Park Service. The Department of the Interior does this under the guise of preventing the spread of brucellosis to cattle.

Here are the facts. There has never been a confirmed incidence of brucellosis transmission in the wild from buffalo to cattle. This risk is so low as to be determined to be immeasurable by the 1998 report from the National Research Council of the National Academy of Sciences. 13,000 Yellowstone elk, some of which harbor brucellosis, are allowed unfettered access to Federal land outside the park. Buffalo with brucellosis and cattle have grazed together for over 50 years in the Jackson Hole area south of Yellowstone with no incidence of disease transmission. Despite these facts, the National Park Service spends taxpayer dollars to kill buffalo in an attempt to keep them unnaturally confined within Yellowstone.

Later this year I will introduce a bill that provides a comprehensive solution to this issue. But until the bison herd can freely roam on key low-elevation habitat on national forest land adjacent to the park like any other wildlife, without triggering hazing, capture or killing, the Park Service should be protecting this wildlife icon in Yellowstone Park and managing them in a nonlethal manner. The Rahall amendment will do this. I urge its adoption.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. Mr. Chairman, the last speaker and the sponsor of this amendment act like nothing has been done over the last few years to try and manage the herds within Yellowstone Park. I can say that that is the farthest thing from the truth. This is 10 years of hard work. We have had agencies that disagreed, we have had States that disagreed, we have gone to court and sued each other and finally through the good sense of the Clinton administration and Bruce Babbitt, they signed a memorandum of understanding on the management of the park bison and they took it out of the

court. In fact, they took it to court, and the court agreed with this memorandum of understanding.

To make the statement that it has never been passed in the wild, that is ludicrous. You cannot manage something like that because you would have to see the cow lick the aborted fetus of the bison and then immediately kill the cow and test it. We do have proof that brucellosis has been passed from bison to elk. We do have proof that in captivity brucellosis has been passed from bison to cattle.

This is also a human health issue. There are people all over this country and in the State of Montana that carry undulant fever, brucellosis; and they get it from these animals. The Public Health Security and Bioterrorism Preparedness and Response Act of 2002, which we passed and was signed by our President, the act specifies that the Secretary of the Department of Health and Human Services establish and maintain a list of biological agents and toxins that have the potential to pose a severe threat to public health and safety.

I turn to page 1. There are only seven bacteria in this bioterrorism alert. Brucellosis is number two on the list. Anthrax is number one. This is a health issue. This is a management of the health of the bison issue. The National Academy of Sciences had a study that was released a number of years ago that said the carrying capacity of the park is being exceeded. It has a capacity somewhere between 1,700 and 3,500 bison. As of last week, there are 4,045 bison on the park premises and leaving during the winter. The riparian damage that they do, the damage that they do to the very environment we are trying to protect in the national park is one of the reasons that we signed this memorandum of understanding with the Federal Government. We finally came to a compromise. We finally took it out of the court.

This amendment turns back 10 years' worth of compromise, 10 years' worth of consensus. Take it to a committee, bring it back to a discussion; but do not undercut the process creating a human health danger, a herd health danger, and danger to the environment of the national park. This amendment must be defeated.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Let me say once again that the bison is an American icon. In my own home State of West Virginia, at Marshall University, the football team's mascot is the bison. They are the Thundering Herd. Nobody slaughters that Thundering Herd just as nobody should slaughter the Yellowstone herd.

Are there alternatives? Yes. There are alternatives for dealing with diseased bison. It is not that difficult. Contrary to what the State claims, it does not require shooting them. We support continuing efforts to keep bison from having any contact with cows through the use of hazing and

capturing bison when necessary. We support continued and improved testing to determine precisely how many bison actually have the disease. We support allowing bison which test positive to be quarantined either within the park or on any of the many Indian reservations where a tribe has contacted the Secretary volunteering to take possession of bison. All of these activities and more are allowed under the Rahall amendment. The only thing that is prohibited is killing these animals.

As far as the counter to our claim that there has never been a documented instance of a cow catching the disease from a bison, in the wild, it has never happened. I stress what we are saying here is in the wild. It is only a theory. If this concern were indeed serious, then bison would not be allowed to cross the southern park boundary and mingle with cattle in Wyoming, nor would elk, which also carry this disease, be allowed to leave the park and mingle with the cattle in Montana and Wyoming. None of this has led to an outbreak. The numbers regarding how many bison have the disease are inflated and unproven because under current practice most of them are not even tested before they are slaughtered. No one really knows how many bison have this disease.

In conclusion, Mr. Chairman, let me say that the Department of the Interior should not be out slaughtering an animal that they are in charge of protecting. This is not a difficult problem with which to deal. There are alternatives available. This amendment allows those alternatives to be pursued. The American bison is to our culture just like the bald eagle is the very icon of our American way of life. Let us protect that icon, and let us stop the slaughter of bison in Yellowstone.

I urge the adoption of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to this amendment, which I do not think makes any sense. It provides, "None of the funds made available by this act may be used to kill or otherwise assist in killing any bison in the Yellowstone National Park herd." The national park herd is not controlled by the Congress. Nature takes care of the size of that herd. If it grows too large, if we have a situation where bison are starving in the national park because there is not enough land to take care of this ever-increasing-size herd, leave aside the debate about brucellosis and human health which I will address in a second, you have a very serious limitation on doing anything.

Secondly, the State of Montana has indicated that they are going to gather

up these bison that get off of the park and slaughter them. So now you have created a situation where the people responsible for taking care of them cannot have any cooperation with those who want to slaughter them and you are going to break down the scientific ability to make a sensible decision about when they should be slaughtered and when they should not.

Brucellosis is a highly contagious reproductive disease that affects cattle, bison, and swine by causing abortions, infertility, and lowered milk production. The disease is also transmissible to humans. Brucellosis is not a natural disease for bison. The disease was introduced into the bison herd when infected cattle arrived into North America and then infected the bison. To conclude that it is not going to work going back the other way, I think, is not sound science. We are rapidly approaching eradication of brucellosis from the U.S. cattle herd. The Yellowstone bison herd represents the last significant reservoir of brucellosis in the U.S.

The Rahall amendment would interfere with the eradication of brucellosis in the Greater Yellowstone area. For the health of our cattle herds and our bison herds, oppose this amendment. An interagency bison management plan has been developed, approved and is being implemented to deal with this situation. It is imperative that the National Park Service employees be allowed to continue to play their integral role in eradicating brucellosis. The response to the problem that the gentleman has identified of wanting to protect bison wherever possible is not enhanced by this amendment. This amendment is not based upon sound science. It is not based upon a commonsense approach to both protecting the interests of the State and the interests of those who are very concerned about the bison in our national park.

I urge my colleagues to oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RAHALL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from West Virginia (Mr. RAHALL) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 10 offered by the gentleman from New York (Ms. SLAUGHTER); amendment No. 18 offered by the gentleman from Oregon (Mr. DEFazio); the amendment offered by the gentleman from Colorado

(Mr. HEFLEY); amendment No. 17 offered by the gentleman from Colorado (Mr. TANCREDI); amendment No. 14 offered by the gentleman from Oregon (Mr. BLUMENAUER); and the amendment offered by the gentleman from Arizona (Mr. SHADEGG).

The amendment offered by the gentleman from California (Mr. GALLEGLY) and amendment No. 4 offered by the gentleman from West Virginia (Mr. RAHALL) will be taken at a later time.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

□ 1330

AMENDMENT NO. 10 OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Ms. SLAUGHTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. SLAUGHTER:

Page 21, line 3, after the first dollar amount, insert "(reduced by \$6,000,000)".

Page 47, line 6, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 91, line 22, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 128, line 7, after the dollar amount, insert "(increased by \$10,000,000)".

Page 128, line 11, after the dollar amount, insert "(increased \$10,000,000)".

Page 128, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 200, answered "present" 1, not voting 8, as follows:

[Roll No. 376]

AYES—225

Abercrombie	Cardin	Emanuel
Ackerman	Cardoza	Engel
Alexander	Carson (IN)	English
Allen	Carson (OK)	Eshoo
Andrews	Case	Etheridge
Baca	Castle	Evans
Baird	Clay	Farr
Baldwin	Clyburn	Fattah
Ballance	Conyers	Filner
Ballenger	Cooper	Ford
Bass	Costello	Fossella
Becerra	Cramer	Frank (MA)
Bell	Crowley	Frelinghuysen
Bereuter	Cummings	Frost
Berman	Davis (AL)	Gerlach
Berry	Davis (CA)	Gonzalez
Biggert	Davis (FL)	Green (TX)
Bishop (GA)	Davis (IL)	Greenwood
Bishop (NY)	Davis, Tom	Grijalva
Blumenauer	DeFazio	Gutierrez
Boehlert	DeGette	Harman
Bono	Delahunt	Hart
Boswell	DeLauro	Hastings (FL)
Boucher	Deutsch	Hinchey
Boyd	Dicks	Hinojosa
Brady (PA)	Dingell	Hoefel
Brown (OH)	Doggett	Holden
Brown, Corrine	Dooley (CA)	Holt
Capito	Doyle	Honda
Capps	Edwards	Hooley (OR)
Capuano	Ehlers	Houghton

Hoyer	McCarthy (NY)
Inslee	McCollum
Israel	McDermott
Jackson (IL)	McGovern
Jackson-Lee	McKeon
(TX)	McNulty
John	Meehan
Johnson (CT)	Meek (FL)
Johnson (IL)	Meeks (NY)
Johnson, E. B.	Menendez
Jones (OH)	Michaud
Kanjorski	Miller (NC)
Kaptur	Miller, George
Kelly	Mollohan
Kennedy (RI)	Moore
Kildee	Moran (VA)
Kilpatrick	Murtha
Kind	Nadler
Kirk	Napolitano
Klecza	Neal (MA)
Kolbe	Oberstar
Kucinich	Obey
LaHood	Olver
Lampson	Ortiz
Langevin	Owens
Lantos	Pallone
Larsen (WA)	Pascrell
Larson (CT)	Pastor
LaTourette	Payne
Leach	Pelosi
Lee	Peterson (MN)
Levin	Pomeroy
Lewis (GA)	Portman
Lipinski	Price (NC)
LoBiondo	Quinn
Lofgren	Rahall
Lowey	Ramstad
Lynch	Rangel
Majette	Reyes
Maloney	Reynolds
Markey	Rodriguez
Marshall	Ross
Matheson	Rothman
Matsui	Roybal-Allard
McCarthy (MO)	Ruppersberger

NOES—200

Emerson	Lewis (KY)
Everett	Linder
Feeney	Lucas (KY)
Flake	Lucas (OK)
Fletcher	Manzullo
Foley	McCotter
Forbes	McCrery
Franks (AZ)	McHugh
Galleghy	McInnis
Garrett (NJ)	McIntyre
Gibbons	Mica
Gilchrest	Miller (FL)
Gillmor	Miller (MI)
Gingrey	Miller, Gary
Goode	Moran (KS)
Goodlatte	Murphy
Gordon	Musgrave
Goss	Myrick
Granger	Nethercutt
Graves	Neugebauer
Green (WI)	Ney
Gutknecht	Northup
Hall	Norwood
Harris	Nunes
Hastings (WA)	Nussle
Hayes	Osborne
Hayworth	Ose
Hefley	Otter
Hensarling	Oxley
Hergert	Paul
Hill	Pearce
Hobson	Pence
Hoekstra	Peterson (PA)
Hostettler	Petri
Hulshof	Pickering
Hunter	Pitts
Hyde	Platts
Isakson	Pombo
Issa	Porter
Istook	Pryce (OH)
Jenkins	Putnam
Johnson, Sam	Radanovich
Jones (NC)	Regula
Keller	Rehberg
Kennedy (MN)	Renzi
King (IA)	Rogers (AL)
King (NY)	Rogers (KY)
Kingston	Rogers (MI)
Kline	Rohrabacher
Knollenberg	Ros-Lehtinen
Latham	Royce
Lewis (CA)	Ryan (WI)

Ryun (KS)	Stearns	Turner (TX)
Schrock	Stenholm	Upton
Sensenbrenner	Sullivan	Vitter
Sessions	Sweeney	Walden (OR)
Shadegg	Tancred	Walsh
Shaw	Tanner	Wamp
Sherwood	Tauzin	Weldon (FL)
Shimkus	Taylor (MS)	Weller
Shuster	Taylor (NC)	Whitfield
Simpson	Terry	Wicker
Skelton	Thomas	Wilson (NM)
Smith (MI)	Thornberry	Wilson (SC)
Smith (NJ)	Tiahrt	Wolf
Smith (TX)	Tiberi	Young (AK)
Souder	Toomey	Young (FL)

ANSWERED "PRESENT"—1

Sherman

NOT VOTING—8

Berkley	Gephardt	Millender-
Brady (TX)	Janklow	McDonald
Ferguson	Jefferson	Turner (OH)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining on this vote.

□ 1350

Mr. TAUZIN and Mr. HILL changed their vote from "aye" to "no."

Ms. WATERS and Mr. SIMMONS changed their vote from "no" to "aye." So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. MCHUGH. Mr. Chairman, on rollcall vote No. 376 I inadvertently cast a "nay" vote. I had intended to vote "aye."

Stated against:

Mr. BRADY of Texas. Mr. Chairman, on rollcall No. 376 I was inadvertently detained. Had I been present, I would have vote "no."

Mr. PORTMAN. Mr. Chairman, on rollcall No. 376 I inadvertently voted "yes." I meant to vote "no."

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT NO. 18 OFFERED BY MR. DEFazio

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 18 offered by the gentleman from Oregon (Mr. DEFazio) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 241, not voting 9, as follows:

[Roll No. 377]

AYES—184

Abercrombie	Bass	Boucher
Ackerman	Becerra	Boyd
Allen	Bell	Bradley (NH)
Andrews	Bishop (NY)	Brady (PA)
Baldwin	Blumenauer	Brown (OH)
Ballance	Bono	Brown, Corrine
Ballenger	Boswell	Capps

Capuano	Jackson (IL)	Peterson (MN)
Cardin	Jackson-Lee	Porter
Carson (IN)	(TX)	Price (NC)
Carson (OK)	Johnson (IL)	Rahall
Case	Johnson, E. B.	Ramstad
Clyburn	Jones (NC)	Rangel
Crowley	Jones (OH)	Renzi
Cummings	Kanjorski	Ross
Davis (AL)	Kaptur	Rothman
Davis (CA)	Kelly	Roybal-Allard
Davis (FL)	Kennedy (RI)	Ruppersberger
Davis (IL)	Kildee	Rush
Davis (TN)	Klecza	Ryan (OH)
Davis, Tom	Kucinich	Sanchez, Linda
DeFazio	Lampson	T.
DeGette	Langevin	Sanchez, Loretta
Delahunt	Lantos	Sanders
DeLauro	Larsen (WA)	Saxton
Deutsch	Larson (CT)	Schakowsky
Doggett	Lee	Schiff
Doyle	Lewis (GA)	Scott (GA)
Edwards	Lipinski	Scott (VA)
Emerson	LoBiondo	Serrano
Engel	Lofgren	Shadegg
Eshoo	Lynch	Sherman
Etheridge	Majette	Skelton
Evans	Maloney	Slaughter
Farr	Markey	Smith (NJ)
Fattah	Marshall	Solis
Filner	Matsui	Stark
Flake	McCarthy (MO)	Strickland
Ford	McCarthy (NY)	Stupak
Franks (AZ)	McCollum	Tancredo
Frost	McDermott	Tauscher
Galleghy	McInnis	Taylor (MS)
Gonzalez	McIntyre	Terry
Gordon	McNulty	Thompson (CA)
Graves	Meek (FL)	Thompson (MS)
Green (TX)	Meeks (NY)	Tierney
Grijalva	Menendez	Towns
Gutierrez	Michael	Udall (CO)
Harman	Miller (NC)	Udall (NM)
Hastings (FL)	Miller, George	Van Hollen
Hayworth	Musgrave	Velazquez
Hill	Nadler	Walden (OR)
Hinche	Napolitano	Waters
Hoeffel	Neal (MA)	Watson
Holden	Oberstar	Watt
Holt	Owens	Waxman
Honda	Pallone	Weiner
Hooley (OR)	Pascrell	Weldon (PA)
Hostettler	Pastor	Wexler
Hoyer	Paul	Woolsey
Hulshof	Payne	Wu
Inslee	Pelosi	Wynn

NOES—241

Aderholt	Chabot	Gilchrest
Akin	Chocola	Gillmor
Alexander	Coble	Gingrey
Baca	Cole	Goode
Bachus	Collins	Goodlatte
Baird	Conyers	Goss
Baker	Cooper	Granger
Barrett (SC)	Costello	Green (WI)
Bartlett (MD)	Cox	Greenwood
Barton (TX)	Cramer	Gutknecht
Beauprez	Crane	Hall
Bereuter	Crenshaw	Harris
Berman	Cubin	Hart
Berry	Culberson	Hastings (WA)
Biggett	Cunningham	Hayes
Bilirakis	Davis, Jo Ann	Hefley
Bishop (GA)	Deal (GA)	Hensarling
Bishop (UT)	DeLay	Herger
Blackburn	DeMint	Hinojosa
Blunt	Diaz-Balart, L.	Hobson
Boehlert	Diaz-Balart, M.	Hoekstra
Boehner	Dicks	Houghton
Bonilla	Dingell	Hyde
Bonner	Dooley (CA)	Isakson
Boozman	Doolittle	Israel
Brady (TX)	Dreier	Issa
Brown (SC)	Duncan	Istook
Brown-Waite,	Dunn	Jenkins
Ginny	Ehlers	John
Burgess	Emanuel	Johnson (CT)
Burns	English	Johnson, Sam
Burr	Everett	Keller
Burton (IN)	Feeney	Kennedy (MN)
Buyer	Fletcher	Kilpatrick
Calvert	Foley	Kind
Camp	Forbes	King (IA)
Cannon	Fossella	King (NY)
Cantor	Frank (MA)	Kingston
Capito	Frelinghuysen	Kirk
Cardoza	Garrett (NJ)	Kline
Carter	Gerlach	Knollenberg
Castle	Gibbons	Kolbe

LaHood	Ortiz	Sherwood
Latham	Osborne	Shimkus
LaTourette	Ose	Shuster
Leach	Otter	Simmons
Levin	Oxley	Simpson
Lewis (CA)	Pearce	Smith (MI)
Lewis (KY)	Pence	Smith (TX)
Linder	Peterson (PA)	Smith (WA)
Lowey	Petri	Snyder
Lucas (KY)	Pickering	Souder
Lucas (OK)	Pitts	Spratt
Manzullo	Platts	Stearns
Matheson	Pombo	Stenholm
McCotter	Pomeroy	Sullivan
McCrery	Portman	Sweeney
McGovern	Pryce (OH)	Tanner
McHugh	Putnam	Tauzin
McKeon	Quinn	Taylor (NC)
Meehan	Radanovich	Thomas
Mica	Regula	Thornberry
Miller (FL)	Rehberg	Tiahrt
Miller (MI)	Reyes	Tiberi
Miller, Gary	Reynolds	Toomey
Mollohan	Rodriguez	Turner (TX)
Moore	Rogers (AL)	Upton
Moran (KS)	Rogers (KY)	Visclosky
Moran (VA)	Rogers (MI)	Vitter
Murphy	Rohrabacher	Walsh
Murtha	Ros-Lehtinen	Wamp
Myrick	Royce	Weldon (FL)
Nethercutt	Ryan (WI)	Weller
Neugebauer	Ryun (KS)	Whitfield
Ney	Sabo	Wicker
Northup	Sandlin	Wilson (NM)
Norwood	Schrock	Wilson (SC)
Nunes	Sensenbrenner	Wolf
Nussle	Sessions	Young (AK)
Obey	Shaw	Young (FL)
Olver	Shays	

NOT VOTING—9

Berkley	Hunter	Millender-
Clay	Janklow	McDonald
Ferguson	Jefferson	Turner (OH)
Gephardt		

□ 1359

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 81, noes 341, not voting 12, as follows:

[Roll No. 378]

AYES—81

Akin	Cox	Graves
Baker	Crane	Green (WI)
Barrett (SC)	Davis (TN)	Gutknecht
Bartlett (MD)	Davis, Jo Ann	Hefley
Barton (TX)	Davis, Tom	Hoekstra
Beauprez	Deal (GA)	Hunter
Bilirakis	DeMint	Hyde
Blackburn	Diaz-Balart, M.	Isakson
Brady (TX)	Doggett	Jenkins
Burgess	Duncan	Johnson, Sam
Buyer	Feeney	Jones (NC)
Cannon	Flake	Kennedy (MN)
Carter	Forbes	King (IA)
Chocola	Fossella	Kirk
Coble	Franks (AZ)	Lewis (KY)
Collins	Garrett (NJ)	Linder
Costello	Gibbons	Manzullo

McCotter
McInnis
Miller (FL)
Miller, Gary
Musgrave
Norwood
Otter
Oxley
Paul
Pearce

Pence
Petri
Pitts
Ramstad
Rohrabacher
Royce
Ryan (WI)
Ryan (KS)
Sensenbrenner
Sessions

Shadegg
Shimkus
Smith (MI)
Smith (WA)
Stearns
Tancredo
Taylor (MS)
Terry
Toomey
Wilson (SC)

NOES—341

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Ballance
Ballenger
Bass
Becerra
Bell
Bereuter
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burns
Burr
Burton (IN)
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chabot
Clay
Clyburn
Cole
Conyers
Cooper
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards

Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gilchrest
Gillmor
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Inslee
Israel
Issa
Istook
Jackson (IL)
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Porter
Kilpatrick
Kind
King (NY)
Kingston
Klecza
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham

LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Ose
Owens
Pallone
Pascarell
Pastor
Payne
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)

Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton

Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Townes
Turner (TX)
Udall (CO)
Udall (NM)

Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—12

Berkley
Ferguson
Gephardt
Herger
Jackson-Lee
(TX)

Janklow
Jefferson
Millender-
McDonald
Nunes
Pelosi

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote, 2 minutes.

□ 1407

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HERGER. Mr. Chairman, on rollcall No. 378 I was inadvertently detained. Had I been present, I would have voted "aye."

Stated against:

Mr. NUNES. Mr. Chairman, on rollcall No. 378, do to a technical malfunction, by vote did not register. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Chairman, I was unavoidably detained off the floor of the House during the recorded vote of the Hefley amendment, which was to cut the Interior appropriations by 1 percent. On that amendment, I would have voted "no."

PERSONAL EXPLANATION

Mr. TURNER of Ohio. Mr. Chairman, on rollcall Nos. 376, 377, and 378 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 17 OFFERED BY MR. TANCREDI

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 17 offered by the gentleman from Colorado (Mr. TANCREDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 112, noes 313, not voting 9, as follows:

[Roll No. 379]

AYES—112

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Blackburn
Bonner
Brady (TX)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Cannon
Cantor
Carter
Chabot
Coble
Cox
Crane
Cubin
Culberson
Cunningham
Davis, Jo Ann
DeFazio
DeLay
DeMint
Diaz-Balart, M.
Doolittle
Duncan
Emerson
Feeney
Flake
Forbes
Franks (AZ)
Gallegly
Gibbons

Gingrey
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hostettler
Hulshof
Hunter
Hyde
Isakson
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Manzullo
McInnis
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes

Otter
Paul
Pence
Petri
Pitts
Pombo
Putnam
Renzi
Rogers (AL)
Rohrabacher
Royce
Ryan (WI)
Ryan (KS)
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Skelton
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor (MS)
Terry
Thornberry
Tiahrt
Toomey
Vitter
Wamp
Weldon (FL)
Weller
Wilson (NM)
Wilson (SC)
Young (AK)

NOES—313

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballance
Ballenger
Bass
Becerra
Bell
Bereuter
Berman
Berry
Biggert
Billakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burns
Burr
Calvert
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chocola

Clay
Clyburn
Cole
Collins
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart, L.
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Engel
English
Eshoo
Etheridge
Everett
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Garrett (NJ)
Gerlach
Gilchrest

Gillmor
Gonzalez
Gordon
Goss
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hensarling
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Klecza
Knollenberg
Kolbe
Kucinich
LaHood

Lampson Northup Scott (GA)
 Langevin Nussle Scott (VA)
 Lantos Oberstar Serrano
 Larsen (WA) Obey Shaw
 Larson (CT) Olver Shays
 Latham Ortiz Sherman
 LaTourette Osborne Simmons
 Leach Ose Simpson
 Lee Owens Slaughter
 Levin Oxley Smith (MI)
 Lewis (CA) Pallone Smith (NJ)
 Lewis (GA) Pascarell Smith (WA)
 Lipinski Pastor Snyder
 LoBiondo Payne Solis
 Lofgren Pearce Spratt
 Lowey Peterson (MN) Stark
 Lynch Peterson (PA) Stenholm
 Majette Pickering Stupak
 Maloney Platts Sweeney
 Markey Pomeroy Tanner
 Marshall Porter Tauscher
 Matheson Portman Tauzin
 Matsui Price (NC) Taylor (NC)
 McCarthy (MO) Pryce (OH) Thomas
 McCarthy (NY) Quinn Thompson (CA)
 McCollum Radanovich Thompson (MS)
 McCotter Rahall Tiberi
 McCrery Ramstad Tierney
 McDermott Rangel Towns
 McGovern Regula Turner (OH)
 McHugh Rehberg Turner (TX)
 McIntyre Reyes Udall (CO)
 McKeon Reynolds Udall (NM)
 McNulty Rodriguez Upton
 Meehan Rogers (KY) Van Hollen
 Meek (FL) Rogers (MI) Velazquez
 Meeks (NY) Ros-Lehtinen Visclosky
 Menendez Ross Walden (OR)
 Mica Rothman Walsh
 Michaud Roybal-Allard Waters
 Miller (MI) Ruppertsberger Watson
 Miller (NC) Rush Watt
 Miller, George Ryan (OH) Waxman
 Molloy Sabo Weiner
 Mollohan Sanchez, Linda Weldon (PA)
 Moore T. Wexler
 Moran (KS) Sanchez, Loretta Whitfield
 Moran (VA) Sanders Wicker
 Murphy Sandlin Wolf
 Murtha Saxton Woolsey
 Nadler Schakowsky Wu
 Napolitano Schiff Wynn
 Neal (MA) Schiff Young (FL)
 Nethercutt Schrock

NOT VOTING—9

Berkley Janklow Pelosi
 Ferguson Jefferson Strickland
 Gephardt Millender-
 Istook McDonald

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised there are 2 minutes remaining in this vote, 2 minutes.

□ 1414

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 14 offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 9, as follows:

[Roll No. 380]
 AYES—197
 Harman
 Hastings (FL)
 Hill
 Hinchey
 Hinojosa
 Hoeffel
 Holden
 Holt
 Honda
 Houghton
 Inslee
 Berry
 Bishop (NY)
 Blumenauer
 Boehlert
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Burton (IN)
 Capps
 Capuano
 Cardin
 Carson (IN)
 Carson (OK)
 Case
 Clay
 Clyburn
 Conyers
 Cooper
 Costello
 Cramer
 Crowley
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (FL)
 Davis (IL)
 Davis (TN)
 DeGette
 Delahunt
 DeLauro
 Deutsch
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards
 Ehlers
 Emanuel
 Engel
 Eshoo
 Evans
 Farr
 Fattah
 Filner
 Ford
 Frank (MA)
 Frelinghuysen
 Frost
 Gonzalez
 Gordon
 Green (TX)
 Grijalva
 Gutierrez
 Abercrombie
 Ackerman
 Allen
 Andrews
 Baird
 Baldwin
 Ballance
 Becerra
 Bell
 Bereuter
 Berman
 Berry
 Bishop (NY)
 Blumenauer
 Boehlert
 Boswell
 Boucher
 Boyd
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Burton (IN)
 Capps
 Capuano
 Cardin
 Carson (IN)
 Carson (OK)
 Case
 Clay
 Clyburn
 Conyers
 Cooper
 Costello
 Cramer
 Crowley
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (FL)
 Davis (IL)
 Davis (TN)
 DeGette
 Delahunt
 DeLauro
 Deutsch
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards
 Ehlers
 Emanuel
 Engel
 Eshoo
 Evans
 Farr
 Fattah
 Filner
 Ford
 Frank (MA)
 Frelinghuysen
 Frost
 Gonzalez
 Gordon
 Green (TX)
 Grijalva
 Gutierrez

NOES—228

Brown-Waite,
 Ginny
 Burgess
 Burns
 Burr
 Calvert
 Camp
 Cannon
 Cantor
 Capito
 Cardoza
 Carter
 Castle
 Chabot
 Chocola
 Coble
 Cole
 Collins
 Cox
 Crane
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis, Jo Ann
 Davis, Tom
 Deal (GA)
 DeFazio
 DeLay
 DeMint
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dooley (CA)
 Doolittle
 Dreier
 Duncan
 Dunn
 Emerson
 English
 Etheridge
 Everett
 Feeney
 Flake
 Fletcher
 Foley
 Forbes
 Fossella
 Franks (AZ)
 Gallegly
 Garrett (NJ)
 Gerlach
 Gibbons
 Gilchrest
 Gillmor

Gingrey
 Goode
 Goodlatte
 Goss
 Granger
 Graves
 Green (WI)
 Greenwood
 Gutknecht
 Hall
 Harris
 Hart
 Hastings (WA)
 Hayes
 Hayworth
 Hefley
 Hensarling
 Herger
 Hobson
 Hoekstra
 Hooley (OR)
 Hostettler
 Hulshof
 Hunter
 Hyde
 Isakson
 Issa
 Istook
 Jenkins
 John
 Johnson, Sam
 Jones (NC)
 Keller
 Kilpatrick
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kolbe
 LaHood
 Larsen (WA)
 Latham
 LaTourette
 Lewis (CA)
 Lewis (KY)
 Linder
 Lucas (KY)
 Lucas (OK)
 Manzullo
 McCotter
 McCrery
 McHugh
 McInnis
 McIntyre
 McKeon
 Meek (FL)
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Murphy
 Musgrave
 Myrick
 Nethercutt
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Ortiz
 Osborne
 Ose
 Otter
 Oxley
 Paul
 Pearce
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Pomeroy
 Porter
 Portman
 Pryce (OH)
 Putnam
 Quinn
 Radanovich
 Regula
 Rehberg
 Renzi
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Royce
 Ryan (WI)
 Ryun (KS)
 Schrock
 Scott (GA)
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Sherwood
 Shimkus
 Shuster
 Simpson
 Smith (TX)
 Souder
 Stearns
 Stenholm
 Sullivan
 Sweeney
 Tancredo
 Tanner
 Tauzin
 Taylor (NC)
 Terry
 Paul
 Pearce
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pombo
 Pomeroy
 Porter
 Portman
 Pryce (OH)
 Putnam
 Quinn
 Radanovich
 Regula
 Rehberg
 Renzi
 Reynolds
 Rogers (AL)

NOT VOTING—9

Berkley Hoyer Millender-
 Buyer Janklow McDonald
 Ferguson Jefferson Pelosi
 Gephardt

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
 Members are advised there are 2 minutes remaining in this vote.

□ 1421

Mr. MEEK of Florida changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SHADEGG

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SHADEGG) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 298, not voting 8, as follows:

[Roll No. 381]

AYES—128

Akin Gutknecht Paul
 Ballance Harris Pearce
 Barrett (SC) Hart Pence
 Bartlett (MD) Hastings (WA) Peterson (PA)
 Barton (TX) Hayes Pitts
 Bilirakis Hayworth Pombo
 Bishop (UT) Hefley Porter
 Blackburn Hensarling Putnam
 Blunt Herger Radanovich
 Brady (TX) Hoekstra Renzi
 Brown-Waite, Hooley (OR) Reynolds
 Ginny Hostettler Rohrabacher
 Burgess Hulshof Royce
 Burton (IN) Hunter Ryan (WI)
 Buyer Jenkins Ryun (KS)
 Cannon Jones (NC) Sandlin
 Cantor Keller Scott (GA)
 Carter Kennedy (MN) Sensenbrenner
 Chabot King (IA) Sessions
 Chocola Kingston Shadegg
 Cole Kline Shimkus
 Collins Kolbe Shuster
 Cox Latham Smith (MI)
 Crane Lewis (KY) Souder
 Cubin Linder Stearns
 Cunningham Lucas (OK) Stenholm
 Davis, Jo Ann McCotter Strickland
 Deal (GA) McInnis Stupak
 DeFazio Miller (FL) Sullivan
 DeLay Miller (MI) Tancredo
 DeMint Moran (KS) Terry
 Doolittle Murphy Thornberry
 Duncan Musgrave Tiahrt
 Emerson Myrick Toomey
 Everett Nethercutt Turner (OH)
 Feeney Neugebauer Vitter
 Flake Ney Walden (OR)
 Franks (AZ) Norwood Weldon (FL)
 Gallegly Nunes Wicker
 Garrett (NJ) Osborne Wilson (NM)
 Gibbons Ose Wilson (SC)
 Gingrey Otter Wynn
 Graves Oxley Young (AK)

NOES—298

Abercrombie Clyburn Gonzalez
 Ackerman Coble Goode
 Aderholt Conyers Goodlatte
 Alexander Cooper Gordon
 Allen Costello Goss
 Andrews Cramer Granger
 Baca Crenshaw Green (TX)
 Bachus Crowley Green (WI)
 Baird Culberson Greenwood
 Baker Cummings Grijalva
 Baldwin Davis (AL) Gutierrez
 Ballenger Davis (CA) Hall
 Bass Davis (FL) Harman
 Beauprez Davis (IL) Hastings (FL)
 Becerra Davis (TN) Hill
 Bell Davis, Tom Hinchey
 Bereuter DeGette Hinojosa
 Berman Delahunt Hobson
 Berry DeLauro Hoeffel
 Biggert Deutsch Holden
 Bishop (GA) Diaz-Balart, L. Holt
 Bishop (NY) Diaz-Balart, M. Honda
 Blumenauer Dicks Houghton
 Boehlert Dingell Hyde
 Boehner Doggett Inslee
 Bonilla Dooley (CA) Isakson
 Bonner Doyle Israel
 Bono Dreier Issa
 Boozman Dunn Istook
 Boswell Edwards Jackson (IL)
 Boucher Ehlers Jackson-Lee
 Boyd Emanuel (TX)
 Bradley (NH) Engel John
 Brady (PA) English Johnson (CT)
 Brown (OH) Eshoo Johnson (IL)
 Brown (SC) Etheridge Johnson, E. B.
 Brown, Corrine Evans Johnson, Sam
 Burns Farr Jones (OH)
 Burr Fattah Kanjorski
 Calvert Filner Kaptur
 Camp Fletcher Kelly
 Capito Foley Kennedy (RI)
 Capps Forbes Kildee
 Capuano Ford Kilpatrick
 Cardin Fossella Kind
 Cardoza Frank (MA) King (NY)
 Carson (IN) Frelinghuysen Kirk
 Carson (OK) Frost Kleczka
 Case Gerlach Knollenberg
 Castle Gilchrest Kucinich
 Clay Gillmor LaHood

Lampson Neal (MA)
 Langevin Northup Shaw
 Lantos Nussle Shays
 Larsen (WA) Oberstar Sherman
 Larson (CT) Obey Simmons
 LaTourette Olver Simpson
 Leach Ortiz Skelton
 Lee Owens Slaughter
 Levin Pallone Smith (NJ)
 Lewis (CA) Pascrell Smith (TX)
 Lewis (GA) Pastor Smith (WA)
 Lipinski Payne Snyder
 LoBiondo Peterson (MN) Solis
 Lofgren Petri Spratt
 Lowey Pickering Stark
 Lucas (KY) Platts Sweeney
 Lynch Pomeroy Tanner
 Majette Portman Tauscher
 Maloney Price (NC) Tauzin
 Manzullo Pryce (OH) Taylor (MS)
 Markey Quinn Taylor (NC)
 Marshall Rahall Thomas
 Matheson Ramstad Thompson (CA)
 Matsui Rangel Thompson (MS)
 McCarthy (MO) Regula Tiberi
 McCarthy (NY) Rehberg Tierney
 McCollum Reyes Towns
 McCreery Rodriguez Turner (TX)
 McDermott Rogers (AL) Udall (CO)
 McGovern Rogers (KY) Udall (NM)
 McHugh Rogers (MI) Upton
 McIntyre Ros-Lehtinen Van Hollen
 McKeon Ross Velazquez
 McNulty Rothman Visclosky
 Meehan Roybal-Allard Walsh
 Meek (FL) Ruppersberger Wamp
 Meeks (NY) Rush Waters
 Menendez Ryan (OH) Watson
 Mica Sabo Watt
 Michaud Sanchez, Linda Waxman
 Miller (NC) T. Weiner
 Miller, Gary Sanchez, Loretta Weldon (PA)
 Miller, George Sanders Weller
 Mollohan Saxton Wexler
 Moore Schakowsky Whitfield
 Moran (VA) Schiff Wolf
 Murtha Schrock Woolsey
 Nadler Scott (VA) Wu
 Napolitano Serrano Young (FL)

NOT VOTING—8

Berkley Hoyer Millender-
 Ferguson Janklow McDonald
 Gephardt Jefferson Pelosi

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1428

Mr. BURGESS changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SWEENEY) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

□ 1430

REPORT ON H.R. 2765, DISTRICT OF COLUMBIA APPROPRIATIONS, 2004

Mr. FRELINGHUYSEN, from the Committee on Appropriations, sub-

mitted a privileged report (Rept. No. 108-214) on the bill (H.R. 2765) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1472

Mr. PENCE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PRIVILEGED REPORT IN THE MATTER OF THE RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. SENSENBRENNER, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 108-215) on the resolution (H. Res. 287) together with dissenting views, directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all physical and electronic records and documents in his possession related to any use of Federal agency resources in any task or action involving or relating to members of the Texas Legislature in the period beginning May 11, 2003, and ending May 16, 2003, except information the disclosure of which would harm the national security interests of the United States, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003

(Mr. VAN HOLLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN HOLLEN. Mr. Speaker, subject to rule XXII, clause 7(C), I hereby announce my intention to offer a Motion to Instruct on H.R. 1308, the Child Tax Credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One. The House conferees shall be instructed to include in the conference